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APR 21 2006

App. No. 10/988,579
768,579

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Marina Kushner
Appl. No. : 10/988,579
Filed : 05/02/2005
Title : Coffee Substitute Product and Process for Use
Grp./A.U. : 1761
Examiner : Anthony J. Welter

Honorable Commissioner of for Patents
Washington, D.C. 20231

DECLARATION UNDER 37 C.F.R. Section 1.132

I, Arun Kilara, declare and say:

That I am a citizen of the United States and that my company is located at 516 Copperline Drive, Suite 200, Chapel Hill, NC 27516-4429;

That I am a food consultant with over 30 years of experience in food science and support the efforts by the inventors to patent their concept;

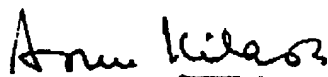
I have the invention with the Inventors and have concluded that the invention has produced unexpected results.

I have examined and used the Soy Coffee LLC product and I can confirm that this is a unique product concept and that such a product is not currently on the market to the best of my knowledge.

The concept of soy coffee as a brewed product is original. Presently, soy latte is made by conventional extraction of coffee followed by the addition of soy milk (frothed or unfrothed). Soy Coffee LLC's product produces coffee with soy milk during the extraction process. Currently there is no available product along the lines that Soy Coffee has developed.

Further declarant saith not.

Date: April 5, 2006


Dr. Arun Kilara, Ph. D.



Stratecon International Consultants

The Network of Independent Food Industry Professionals

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Arun Kilara, Ph.D.

Arun Kilara Worldwide

Education
Work experience
Expertise
Contact details

Arun Kilara, Ph.D. is a creative and Innovative executive with a proven record of bringing new food products to the marketplace. He is recognized for pioneering research and technology transfer in food ingredient functionality and applications. He has significant International experience in dairy foods. He led an interdisciplinary team involving planning, market and data analysis, motivation, training, and change management. Author of numerous articles and white papers, contributor and advisor to several educational textbooks, and highly regarded speaker and media spokesperson.

Education

Born in India and educated in India, Canada and the US, Arun has a BS in Dairy Technology from the Punjab University, MS in dairy and Food Science from the University of Saskatchewan, Canada and a Ph.D. in Food Science and Technology from the University of Nebraska-Lincoln. He earned two gold medals for academic achievements during his undergraduate studies and was awarded the Outstanding Graduate Student Award by the Nebraska Chapter of the Society of Sigma Xi (the research society of North America).

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Work Experience

Arun is a creative and Innovative executive with a proven record of bringing new food products to the marketplace. He is recognized for pioneering research and technology transfer in food ingredient functionality and applications. He has significant International experience in dairy foods. He led an interdisciplinary team involving planning, market and data analysis, motivation, training, and change management. Author of numerous articles and white papers, contributor and advisor to several educational textbooks, and highly regarded speaker and media spokesperson.

MONSANTO CO., Mount Prospect, IL, 1998 - 2000

Monsanto is an agribusiness leader with approximately \$6.5 billion annual sales.

Co-leader Protein Applications

- Formulated and articulated project goals, formed research teams, delineated individual roles

- and responsibilities, and executed research plans.
- Partnered with marketing team to define consumer needs and preferences, developed prototype foods, obtained internal regulatory clearance to taste products, planned test article manufacture for human clinical trials, and worked with QA and clinical teams to coordinate test article manufacture.
- Key Member of project management team that developed unit dose delivery of bioactives in food form. Defined and met milestones, decreased costs by 15%, and reduced cycle time by 10%. Total budget responsibility was approximately \$ 5 million per year.
- Collaborated with Human Resources to organize and deliver a seminar that addressed dealing and coping with change and that motivated and aligned people to new projects and goals.
- Recognized by colleagues as a visionary and empowering leader.

INDEPENDENT CONSULTANT, State College, PA, 1985 - 1998

- Innovator of a unique combination of ingredients and processes that resulted in the development of a low-fat ice cream that was chosen as *Time* magazine's product of the year.
- Summarized market trends in Australia, Europe, and South America, performed a needs analysis, developed formulations, and implemented changes that resulted in the successful transfer of technology.
- Organized a consortium of international companies to exchange ideas, formulated an annual meeting schedule, and arranged for prominent guest speakers, all of which contributed to the successful retention and growth of market share for Members.
- Coordinated and recruited an advisory panel for a family owned business that recommended ways to reorganize sales and technical support, which resulted in a 25% annual increase in sales for three consecutive years.
- Utilized the client's market data to reformulate better tasting, less expensive ice cream. Scaled up production and introduced the product to the marketplace resulting in a 200% increase in sales and a 350% increase in profit for this line.
- Determined functionalities of novel ingredients, evaluated interactions of ingredients and processes in dairy foods, and developed prototype formulations to demonstrate potential uses resulting in new market and existing market growth.
- Recognized by the Pennsylvania Technical Assistance Program for efforts that improved the formulation and manufacture of foods and that resulted in heightened quality, increased productivity, and new and improved products.

THE PENNSYLVANIA STATE UNIVERSITY, University Park, PA, 1978 - 1998

Penn State has 42,000 students at the University Park Campus.

Professor of Food Science

- Directed the internationally famous Ice Cream Short Course, Pasteurizer Operators Workshop and lectured in the Sanitation Workshop and Better Process Control School.
- Recruited and trained graduate students through lectures, demonstrations, project assignments, meetings, classes, and discussions. Trained 13 Ph.D. and 30 MS students currently working in the food industry.
- Organized and performed collaborative research with 13 universities and 4 international research institutes, which resulted in 3 standardized tests now widely used by researchers and 6 publications in peer reviewed journals.
- Conducted planned research, analyzed results, and published more than 110 papers and chapters in books. Gamma Sigma Delta recognized research efforts. Research established leadership in dairy foods, food proteins, and food enzymology.
- Organized seminars for and reengineered production schedules that improved product quality, increased productivity, and grew revenues by 15% in 3 months.
- Performed a needs assessment, surveyed and redesigned course offerings, evaluated competitive pressures, and revamped mailing tests, which resulted in increased enrollment and market pre-eminence.
- Instituted and chaired a Strategic Planning Committee for the Department of Food Science that outlined vision and goals for the next decade.

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Expertise

Arun Kilara Worldwide offers consulting expertise in dairy products, nutraceuticals, soy foods, protein ingredients, enzyme technology and educational activities.

Product Development

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A variety of food products and ingredients can be developed specifically for your needs. Dr. Kilara has experience in developing ice cream products, nutritional bars, shakes, protein beverages, cookies, soups, sauces, gravies, condiments, protein isolates, protein concentrates and related products. These foods may also contain bioactive components and product development includes, concept definition, bench top development, Pilot plant development, Production, Consumer trials, Test market trials. He can help you with related activities in, line extensions repositioning existing products reformulating existing products.

Ingredient Functionality

Ingredient functionality experience is with proteins, enzymes, stabilizers and emulsifiers. The services provided in the area of ingredient functionality include Selection criteria for ingredients, Setting specifications for ingredients, Evaluation methods for testing functionality, Sourcing of ingredients, Defining guidelines for the use of ingredients, and Ingredient substitutions.

Training

Customized on site training in Ice cream manufacture, Yogurt and cultured dairy products manufacture, Cleaning and sanitation, Pasteurization of milk and dairy foods is available.

Troubleshooting

In the course of producing foods there are numerous operations that, if incorrectly implemented, result in product losses, down time, loss of ingredients and profits. In other instances, manufactured foods do not perform well during distribution and storage thus resulting in loss of consumer appeal and diminished sales. Services to rectify these situations by diagnosing the causes of the problems, suggesting corrective measures and helping implement these recommended changes are provided.

Technology Transfer and Implementation

Dr. Kilara has translated technology from the bench scale to production scale. Also he has successfully implemented technology used in USA and Europe in other parts of the world. Often this process requires a careful assessment of available resources, capabilities of the workforce, training, implementation of a carefully developed and staged plan for introducing new processes.

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Contact details

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